

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Noemí GONZALEZ,

Defendant.

Magistrate Case No.:

'08 MJ 87 18

COMPLAINT FOR VIOLATION OF


21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

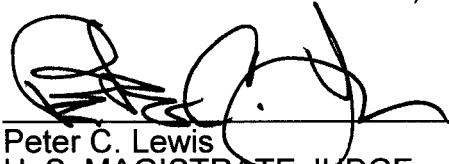
The undersigned complainant being duly sworn states:

On or about August 12, 2008, within the Southern District of California, defendant Noemí GONZALEZ did knowingly and intentionally import approximately 63.90 kilograms (140.58 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Rafael Silva, Special Agent
Immigration and Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 13TH
DAY OF AUGUST 2008.


Peter C. Lewis
U. S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Noemi GONZALEZ

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents,
6 and notes furnished to Immigration and Customs Enforcement
7 Special Agent Rafael Silva.

8 On August 12, 2008, at approximately 2056 hours, Noemi
9 GONZALEZ (GONZALEZ) entered the United States at the Calexico,
10 California, west port of entry. GONZALEZ was the driver and sole
11 occupant of a 2003 Dodge Ram 1500 and carrying a refrigerator.

12 GONZALEZ approached lane number eight which was being manned
13 by Customs and Border Protection Officer (CBPO) Lepe. During
14 routine border inspection questioning, GONZALEZ gave a negative
15 customs declaration. CBPO Lepe noticed the vehicle tires felt
16 solid when tapped and decided to refer the vehicle to the vehicle
17 secondary lot for further inspection.

18 While at vehicle secondary, CBPO Becerra took over the
19 inspection. CBPO Becerra received a negative customs declaration
20 from GONZALEZ. GONZALEZ stated the reason for her trip to Mexico
21 was to pick up a refrigerator from her mother's house. GONZALEZ
22 stated the vehicle was a rental.

23 CBPO/CEO (Customs Enforcement Officer) Leon was asked to
24 assist with his assigned Human/Narcotics Detection Dog, when the
25 dog alerted to the vehicle GONZALEZ was driving. CBPO/CEO Leon
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1 informed CBPO Becerra of the alert. CBPO Becerra continued the
2 vehicle inspection, which revealed several packages, concealed
3 within all four tires of the vehicle.

4 A subsequent inspection of the vehicle revealed sixty-three
5 (63) packages concealed inside the four tires of the vehicle.
6 CBPO Becerra probed one of the packages and a sample of a green
7 leafy substance was obtained, which field tested positive for
8 marijuana. The 63 packages had a combined weight of approximately
9 63.90 kilograms (140.58 pounds) of marijuana.
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11 GONZALEZ was placed under arrest and advised of her rights,
12 per Miranda, which she acknowledged and waived, agreeing to
13 answer questions. GONZALEZ stated she did not know the vehicle
14 was carrying drugs. GONZALEZ stated she rented the vehicle at
15 "GNG" in El Centro, California and went to Mexicali to pick up a
16 refrigerator. GONZALEZ stated that while at her mother's house
17 in Mexicali, she left the vehicle unattended for approximately
18 30 minutes.
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